

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. VERA L. SAUNDERS

PART

IAS MOTION 36

Justice

-----X

INDEX NO.

160694/2019

E. JEAN CARROLL,

Plaintiff,

MOTION SEQ. NO.

003

- v -

DONALD J. TRUMP, in his personal capacity,
Defendant.

**DECISION + ORDER ON
MOTION**

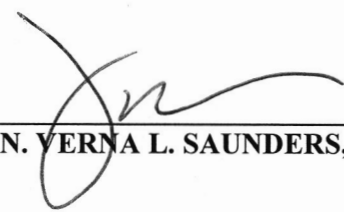
-----X

The following e-filed documents, listed by NYSCEF document number (Motion 003) 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95

were read on this motion to/for

DISMISS DEFENSE

Pursuant to defendant's Notice of Voluntary Withdrawal of Affirmative Defense dated June 29, 2020 and annexed hereto, plaintiff's motion seeking to dismiss defendant's ninth affirmative defense is denied as moot.

June 30, 2020


 HON. VERA L. SAUNDERS, JSC

CHECK ONE:

☐

CASE DISPOSED

☒

NON-FINAL DISPOSITION

☐

GRANTED

☒

DENIED

☐

GRANTED IN PART

☐

OTHER

APPLICATION:

☐

SETTLE ORDER

☐

SUBMIT ORDER

CHECK IF APPROPRIATE:

☐

INCLUDES TRANSFER/REASSIGN

☐

FIDUCIARY APPOINTMENT

☐

REFERENCE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
E. JEAN CARROLL,

Plaintiff,

-against-

DONALD J. TRUMP, in his personal capacity,

Defendant.
-----X

Index No.: 160694/19

Motion Seq. No. 003

**NOTICE OF VOLUNTARY
WITHDRAWAL OF AFFIRMATIVE DEFENSE**

PLEASE TAKE NOTICE that defendant hereby voluntarily withdraws the ninth affirmative defense asserted in his Answer.

PLEASE TAKE FURTHER NOTICE that the undersigned attorneys submitted a stipulation to plaintiff's attorneys proposing to withdraw the ninth affirmative defense asserted in defendant's Answer, but plaintiff's attorneys have refused to sign this stipulation.

Dated: New York, New York
June 29, 2020

**LAROCCA HORNIK ROSEN
& GREENBERG LLP**

/s/ Patrick McPartland

Patrick McPartland
Jared E. Blumetti
40 Wall Street, 32nd Floor
New York, New York 10005
T: (212) 530-4837; 4831
E: pmcpartland@lhr gb.com
jblumetti@lhr gb.com

*Attorneys for defendant
Donald J. Trump*

To: All counsel of record (via ECF)